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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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56188 7590 07/24/2007 GREENBERG TRAUIG, LLP (SV2) 2450 Colorado Avenue, Suite 400E Santa Monica, CA 90404			EXAMINER BHATIA, AJAY M	
			ART UNIT 2145	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/015,968

Applicant(s)

JACOB ET AL.

Examiner

Ajay M. Bhatia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3-5-07
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Arguments

Applicant has amended the claims to include "detecting a completion of the live conversation between the user and the selected service provider." In discussing these new amendment applicant also tries to import limitations not supported by the claim language in applicant's arguments. Presently as the claim limitation is written, the requirement is that at some point after the completion of the conversation, this does not require during the same call, which applicant has clearly pointed out the prior art teaches. Therefore the current prior art presented in the 103 rejection still applies to applicant's claimed invention. In reviewing applicant's specification it appears that applicant has allowable subject matter, but has not claims that address those features.

Applicant has elected to defer double patenting to time of allowance, at which time examiner will reconsider double patenting.

In response to argument to 112 rejection applicant has again amended to terms not supported by the specification. If applicant wishes to overcome this feature in the prior they are suggest to use positive reaction which are normally supported by the specification. But applicant's current negative limitation is not supported by the specification. Additionally applicant need to explain the specification is additional proof that the specification does not support applicant's amendment. The specification should support applicant's amendment on it own, without the need for additional explanation, clarification or extrapolation of interpretation. But current the specification does not support the amendment in these therefore the 112 rejection is maintained.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 27 and 28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification fails to disclose the feature "without the user ... list".

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 3-6, 9, 11, 13-16, 19, and 21-26 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-15 and 18-28

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of U.S. Patent No. 6,636,590. Although the conflicting claims are not identical, they are not patentably distinct from each other because Voice is a more specific limitation than the term “audio form”, in addition it is obvious that the selection is made from the list that is presented, see exemplarily claim 1 below as a example of the obviousness-type double patenting.

Additionally “generate a list of one or more service providers” is not the same as “providing the user with a list of one or more service providers” 6,636,590, reads because it is the broader claim, therefore it anticipates 10/015,968.

U.S. Patent 6,636,590	Patent Application 10/015,968
method comprising: receiving a voice request, via a voice-transmission medium, from a user seeking service providers from a wide array of fields of service;	method comprising: receiving one of more search criteria in an audio form, via an audio transmission medium, from a user, the one or more search criteria including a field of service desired by the user;
when the voice request includes a field of service desired by the user, providing the user with a list of one or more service providers stored in a service provider database which match the field of service desired by the user;	searching a service provider database according to the one or more search criteria to generate a list of one or more service providers presenting the list of one or more service providers in an audio form to the user
receiving a selection from the user for a selected service provider stored within the service provider database from a field of service desired by the user; and	determining a selection of the user for a selected service provider from the list of one or more service providers; and
connecting the user with the selected service provider for a live conversation via the voice transmission medium regarding the field of service	connecting the user with the selected service provider for a live conversation via the audio transmission medium

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1,3-6,9,11,13-16,19,21-24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothschild et al. (U.S. Patent Publication 2002/0003867 referred to as Rothschild) in view of Alpdemir (U.S. Patent 6,658,389).

For claim 1, Rothschild teaches, a method comprising:

receiving from a user one or more search criteria, via an audio transmission medium, presenting a list of one or more service providers in an audio form to the user, according to the one or more search criteria (restaurant name or type of food is provided by the restaurant);

determining a selection of the user for a selected service provider from the list

connecting the user with the selected service provider for a live conversation via the audio

transmission medium. (Rothschild, paragraph 12, 14-23 39, 40 and figure 1, service provider is a broadly construed as anyone who provides service)

Rothschild fails to clearly disclose, detecting a completion of the live conversation between the user and the selected service provider; and

prompting the user for a quality of service rating for services rendered by the service provider in response to a detected completion of the live conversation.

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Alpdemir teaches, detecting a completion of the live conversation between the user and the selected service provider; and

prompting the user for a quality of service rating for services rendered by the service provider in response to a detected completion of the live conversation.

(Alpdemir, Col. 11 line 60 to Col. 12 line 33, the claim limitations do not denote the time at which the prompting occurs just that it occurs after the live conversation is complete)

Alpdemir and Rothschild are both in the field of speech interaction with a customer

Alpdemir is compatible with Rothschild because Alpdemir service provider database would be able to interface with the system of Rothschild using the appropriate queries, which Rothschild discusses in paragraphs 43-51, which one of ordinary skill in the art could create the queries.

It would be obvious of one of ordinary skill in the art at the time of the invention to combine the system of Rothschild with the method of Alpdemir because Alpdemir provides feedback to improve or maintain the level of service. (Col. 12 lines 2-20)

For claim 3, Rothschild-Alpdemir teaches, the method of claim 1, further comprising:

receiving a request from a service provider for inclusion in the service provider database;
and

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when the service provider is approved for inclusion in the service provider database, generating a record in the service provider database, the record including provider information contained in the request, wherein the provider information includes a field of service, one or more of specific expertise of the service provider, (Rothschild, paragraph 12, 14-23 39, 40 and figure 1)

Rothschild fails to teach, one or more languages spoken by the service provider.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to add a language spoken by the service provider to the method of Rothschild in order to better serve the customer, as it would be obvious that the service provider would speak the language of the area and would list additional languages if applicable.

For claim 4, Rothschild- Alpdemir teaches, the method of claim 1, further comprising:

billing the user for the live conversation with the selected service provider; and compensating the selected service provider for the live conversation with the user. (Rothschild, paragraph 29 thru 37)

For claim 5, Rothschild- Alpdemir teaches, the method of claim 4, wherein the billing the user further comprises:

measuring a duration of the live conversation between the user and the selected service provider; and calculating a billing amount for the user based on the duration of the live conversation and a time-based price charged by the selected service provider. (Rothschild, paragraph 29 thru 37)

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For claim 6, Rothschild- Alpdemir teaches, the method of claim 4, wherein the billing the user further comprises:

calculating a billing amount for the user based on a flat fee charged by the service provider. (Rothschild, paragraph 29 thru 37)

For claim 9, Rothschild- Alpdemir teaches, the method of claim 1, recording the service rating provided by the user in a service provider database. (Alpdemir, Col. 11 line 60 to Col. 12 line 33)

Claims 11, 13-16, 19 and 24 list all the same elements of claims 1, 3-6, and 9. Therefore, the supporting rationale of the rejection to claims 1, 3-6, and 9 applies equally as well to claims 11, 13-16, 19 and 24.

For claim 21, Rothschild- Alpdemir teaches, an audio portal service provider system comprises:

an interface to an audio transmission medium;

an audio recognition engine to receive one or more search criteria in an audio form from a user, via the audio transmission medium, for a service provider; and

a processor coupled to the audio recognition engine and the interface, the processor to search a service provider database according to the one or more search criteria to generate a list of one or more service providers for presentation to the user in an audio form, the processor to further determine a selection of the user for a selected provider from the list via the audio recognition engine, and the process to cause the interface to connect the user with the selected

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service provider for a live conversation via the audio transmission medium, (Rothschild, paragraph 12, 14-23 39, 40 and figure 1, restaurant name, type, locaiton) the processor to detect a completion of the liver conversation between the user and the selected service provider and to prompt the user for a quality of service rating for services rendered by the service provider in response to a detected completion of the livèr conversation (Alpdemir, Col. 11 line 60 to Col. 12 line 33)

For claim 22, Rothschild- Alpdemir teaches the system of claim 21, further wherein:

the interface is coupled to the processor to provide the user with an audio list of available fields of service providers, accept a field of service desired by the user, provide the user with a list of one or more service providers stored in a service provider database which match the one or more search criteria and the field of service desired by the user, and receive a selection from the user for a selected provider. (Rothschild, paragraph 12, 14-23 39, 40 and figure 1)

For claim 23, Rothschild- Alpdemir teaches, the system of claim 21, the system of claim 21, further comprising:

a network interface coupled to the processor to receive a request from a service provider of a field of service for inclusion in the service provider database, and the processor to generate a record for storage in the service provider database, the record including provider information contained in the request. (Rothschild, paragraph 12, 14-23 39, 40 and figure 1)

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For claim 26, Rothschild- Alpdemir teaches, the system of claim 21, wherein the interface comprises:

a wireless communications network interface; (Rothschild, paragraph 12, 14-23 39, 40 and figure 1, location is not selected from an option list)

Claim Rejections - 35 USC § 103

Claims 1-2, 11-12, 7-9, 17-19, 21, 22, 25, 27 and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Levin et al. (U.S. Patent 6,173,279) in view of Alpdemir (U.S. Patent 6,658,389).

For claim 1, Levin teaches, a method comprising:

receiving from a user one or more search criteria, via an audio transmission medium,;
(Levin, abstract, Col. 2 lines 15-29, Col. 2 lines 60-67, natural language query, telephone call)

presenting a list of one or more service providers in an audio form to the user, according to the one or more search criteria; (Levin, Col. 6 lines 45-50, question, “Venezia or Della Roma”, Col. 6 lines 57-60, list of possibilities; restaurant name or type of food is provided by the restaurant or restaurant location)

determining a selection of the user for a selected service provider from the list; and
(Levin, Col. 6 lines 45-50, additional question are used to formulate a new logical search query, Col. 6 lines 57-60, choose from list of possibilities)

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connecting the user with the selected service provider for a live conversation via the audio transmission medium. (Levin, Col. 7 lines 12-14, establish a telephone connection between the pizza restaurant and the user)

Levin fails to clearly disclose, detecting a completion of the live conversation between the user and the selected service provider; and
prompting the user for a quality of service rating for services rendered by the service provider in response to a detected completion of the liver conversation.

Alpdemir teaches, detecting a completion of the live conversation between the user and the selected service provider; and

prompting the user for a quality of service rating for services rendered by the service provider in response to a detected completion of the live conversation.

(Alpdemir, Col. 11 line 60 to Col. 12 line 33, the claim limitations do not denote the time at which the prompting occurs just that it occurs after the live conversation is complete)

Alpdemir and Levin are both in the field of speech interaction with a customer

Alpdemir is compatible with Rothschild because Alpdemir service provider database would be able to interface with the system of Rothschild using the appropriate queries, which Rothschild discusses in paragraphs 43-51, which one of ordinary skill in the art could create the queries.

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It would be obvious of one of ordinary skill in the art at the time of the invention to combine the system of Rothschild with the method of Alpdemir because Alpdemir provides feedback to improve or maintain the level of service. (Col. 12 lines 2-20)

For claim 2, Levin- Alpdemir teaches, the method of claim 1, further comprising:

converting the one or more search criteria from an audio form into a database query to search a service provider database, comprising responsive to ; (Levin, Col. 4 lines 47-64, natural language queries)

a voice entry of a search criterion, converting the voice entry utilizing interactive voice recognition software; and (Levin, Col. 5 lines 36-59, natural language to string of logical search queries Col. 6 lines 48-49, interactive)

Levin fails to clearly disclose, a keypad entry of a search criterion, converting a single generated by the keypad entry utilizing a Dual Tone Multi-Frequency (DTMF) decoder.

A DTMF system is compatible with that of Levin Natural Language query system, since DTMF as well known tone and sound that can be integrated in the Natural Language query system, by associated the sound with the specific number.

It would have been obvious to on of ordinary skill in the art at the time of the invention was made to add the feature of DTMF, keypad with that of Natural Language query system

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because it is well known in the art at the time of invention to make use of touch tones (DTMF, keypad) when making a phone call and interfacing with a automated system.

For claim 7, Levin- Alpdemir teaches, the method of claim 1, wherein the one or more include one of a voice request and a keypad entry response and includes one or more of a category of service providers, a service provider price, service provider availability, service provider specific expertise, service provider language and a service provider minimum quality rating. (Levin, Col. 8 lines 15-32, expensive, low price)

For claim 8, Levin- Alpdemir teaches, the method of claim 1, further comprises:

providing the user with an audio list of a wide array of fields of service available from the audio portal service provider system; and (Levin, Col. 6 lines 57-67, list the possibilities)

providing the user with a unique audio field of service code corresponding to each field of service within the audio list of fields of service, wherein an keypad entry of a field of service code is received via the audio transmission medium to select a desired field of service for the one or more search criteria; wherein at least on of the one or more search criteria is not a selection from an option list. (Levin, Col. 6 lines 45-67)

For claim 9, Levin- Alpdemir teaches, the method of claim 1, recording the service rating provided by the user in a service provider database. (Alpdemir, Col. 11 line 60 to Col. 12 line 33)

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For claim 10, Levin- Alpdemir teaches, the method of claim 1, wherein determining a selection from the user further comprises:

when the selection of the user includes a voice request, converting the voice request into a database query language format using integrated voice recognition software to determine the service provider selected by the user; (Levin, Col. 5 lines 36-60, natural language)

when the selection of the user includes a keypad entry response, converting a signal generated by the keypad entry response into a database query language format to determine the service provider selected by the user; and (Levin, Col. 8 query questions)

querying the service provider database according to the generated query to select the service provider desired by the user to enable connection between the user. (Levin, Col. 7 lines 12-15, establish telephone connection)

For claim 21, Levin- Alpdemir teaches, an audio portal service provider system comprises:

an interface to an audio transmission medium; (Levin, Col. 2 lines 60-67, telephone)

an audio recognition engine to receive one or more search criteria in an audio form from a user, via the audio transmission medium, for a service provider; and (Levin, Col. 5 lines 36-60, natural language)

a processor coupled to the audio recognition engine and the interface, the processor to search a service provider database according to the one or more search criteria to generate a list of one or more service providers for presentation to the user in an audio form, the processor to further determine a selection of the user for a selected provider from the list via the audio recognition engine, and the process to cause the interface to connect the user with the selected service provider for a live conversation via the audio transmission medium, (Levin, Col. 8 query

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questions, Col. 6 lines 57-67, list the possibilities, restaurant name, type, location) the processor to detect a completion of the liver conversation between the user and the selected service provider and to prompt the user for a quality of service rating for services rendered by the service provider in response to a detected completion of the liver conversation. (Alpdemir, Col. 11 line 60 to Col. 12 line 33)

For claim 22, Levin- Alpdemir teaches, the system of claim 21, further wherein:

the interface is coupled to the processor to provide the user with an audio list of available fields of service providers, accept a field of service desired by the user, provide the user with a list of one or more service providers stored in a service provider database which match the one or more search criteria and the field of service desired by the user, and receive a selection from the user for a selected provider. (Levin, Col. 8 query questions,)

For claim 25, Levin- Alpdemir teaches, the system of claim 21, wherein the interface comprises:

a public switched telephone network interface; (Levin, Col. 2 lines 60-67, telephone)

wherein the processor searches the service provider database to generate the list of one or more service providers based at least partially on information indicating availability for service providers to conduct live conversation. (Levin, Col. 8 query questions, Col. 6 lines 57-67, list the possibilities)

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For claim 27, Levin- Alpdemir teaches, the method of claim 1, wherein the field of service desired by the user and the one or more search criteria include a field of service provided by the user over the audio transmission medium without the user browsing through a list of available fields of service via the audio transmission medium(Levin, Colo. 8, Col.5 Col. 37-60, natural language)

For claim 28, Levin- Alpdemir teaches, the method according to claim 1, wherein at least one of the one or more search criteria is provided by the user over the audio transmission medium without the user receiving a list of available options over the audio transmission medium without the user receiving a list of available options over the audio transmission medium. (Levin, Col. 8, American, diner, fast food)

Claim Rejections - 35 USC § 103

Claims 2, 7, 8, 10, 12, 17, 18, 20, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothschild- Alpdemir in view of Shaffer et al. (U.S. Patent 5,901,214 referred to as Shaffer).

For claim 2, Rothschild- Alpdemir teaches, the method of claim 1, further comprising:

wherein when the one or more search criteria include a voice request for a field of service desired by the user, converting the voice request into a database query language format utilizing interactive voice recognition software; (Rothschild, paragraphs 42 thru 50)

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Rothschild- Alpdemir fails to clearly disclose, when the audio request from the user includes a keypad entry response from the user, converting a signal generated by the user's keypad entry into a database query language format in order to enable selection of service providers matching the field of service desired by the user from the service provider database; and

querying the service provider database according to the generated query of the field of service desired by the user in order to generate a list of one or more service providers matching the user's desired field of service.

Shaffer teaches, wherein when the audio request from the user includes a keypad entry response from the user, converting a signal generated by the user's keypad entry into a database query language format in order to enable selection of service providers matching the field of service desired by the user from the service provider database; and

querying the service provider database according to the generated query of the field of service desired by the user in order to generate a list of one or more service providers matching the user's desired field of service. (Shaffer, Col. 3 lines 3-15, Col. 20 line 59 to Col. 21 line 10)

Shaffer and Rothschild are both in the field of phone interaction with a computer system.

Shaffer is compatible with Rothschild because Rothschild provides a direct connection between the phone call and a server that routes the phone call, Shaffer provides for a CTI

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(Computer Telephone integration), which is a system, which is designed to rout phone calls.

(Shaffer, abstract, Col. 2 line 59-67) (Rothschild, paragraph 12)

It would be obvious of one of ordinary skill in the art at the time of the invention to combine the system of Rothschild with the method of Shaffer it is well know to add additional feature to a existing server which is used to interface to the communication system, which Rothschild allows for variations, since Shaffer discuss can be placed in the answering interface. (Shaffer, Col. 1 line 47 to Col. 2 line 6) and (Rothschild, paragraph 4, 5) Additionally Shaffer provides for a faster interface. (Col. 21 lines 21-23)

For claim 7, Rothschild-Alpdemir-Shaffer teaches, the method of claim 1, wherein the one or more search criteria include one of a voice request and a keypad entry response and includes one or more of a category of service providers, a service provider price, service provider availability, service provider specific expertise, service provider language and a service provider minimum quality rating. (Shaffer, Col. 3 lines 3-15, Col. 20 line 59 to Col. 21 line 10) The same motivation that was utilized in the rejection of claim 2, applies equally as well to claim 7.

For claim 8, Rothschild-Alpdemir-Shaffer teaches, the method of claim 1, further comprises:

providing the user with an audio list of a wide array of fields of service available from the audio portal service provider system; and

providing the user with a unique audio field of service code corresponding to each field of service within the audio list of fields of service, wherein an keypad entry of a field of service

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code is received via the audio transmission medium to select a desired field of service for the one or more search criteria; wherein at least one of the one or more search criteria is not a selection from an option list. (Alpdemir, Col. 11 line 60 to Col. 12 line 33) and (Shaffer, Col. 3 lines 3-15, Col. 20 line 59 to Col. 21 line 10) The same motivation that was utilized in the rejection of claim 2, applies equally as well to claim 8.

For claim 10, Rothschild-Alpdemir-Shaffer teaches, the method of claim 1, wherein determining the selection of the user further comprises:

When the selection of the user includes a voice request, converting the voice request into a database query language format using integrated voice recognition software to determine the service provider selected by the user;

when the selection of the user includes a keypad entry response, converting a signal generated by the keypad entry response into a database query language format to determine the service provider selected by the user; and
querying the service provider database according to the generated query to select the service provider desired by the user. (Shaffer, Col. 3 lines 3-15, Col. 20 line 59 to Col. 21 line 10) The same motivation that was utilized in the rejection of claim 2, applies equally as well to claim 10.

Claims 12, 17, 18, and 20 list all the same elements of claims 2, 7, 8, and 10 but in medium form rather than method form. Therefore, the supporting rationale of the rejection to claims 2, 7, 8, and 10 applies equally as well to claims 12, 17, 18, and 20.

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For claim 25, Rothschild-Shaffer teaches, the system of claim 21, wherein audio transmission medium further comprises:

a public switched telephone network interface to connect a user to the system. (Shaffer, Col. 3 lines 3-15) The same motivation that was utilized in the rejection of claim 2, applies equally as well to claim 25.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached UPSTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M. Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)272-3933. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason Cardone


JASON CARDONE
SUPERVISORY PATENT EXAMINER

AB